

REMARKS

Reconsideration and allowance of the present patent application based on the foregoing amendments and following remarks are respectfully requested.

By this Amendment, claims 17 and 21-22 are amended. Support for the amendments to claims 17 and 21-22 may be found, for example, in the embodiments described in pages 15-16 and 22-23 of the detailed description. No new matter has been added. After entry of this Amendment, claims 17 and 19-22 will remain pending in the patent application.

Claims 17 and 19-22 were rejected under 35 U.S.C. §103(a) based on Hendricks *et al.* (U.S. Pat. No. 5,659,350) (hereinafter "Hendricks"). This rejection is respectfully traversed.

Claim 17 recites an information reproducing apparatus used in a transmitting/receiving system comprising a transmitting side and a receiving side, (a) said transmitting side including: (i) means for transmitting content information along with corresponding transmission time information, said content information being allowed to be stored for a predetermined value of time; and (ii) means for transmitting transmission time information continuously after transmission of the content information has been completed, (b) said receiving side including: (i) means for reproducing received content information and the transmission time information; (ii) means for temporarily storing the received content information as stored content information and the received transmission time information as stored transmission time information when the reproduction is interrupted; (iii) means for obtaining a time difference between the stored transmission time information and the received transmission time information when the reproduction interruption has been terminated; (iv) means for allowing a reproduction of the stored content information if the time difference is less than or equal to the predetermined value, and means for executing charging of pay information based on the a value of the time difference; and (v) means for presenting an audible and/or visual warning if the time difference is greater than the predetermined value.

As conceded by the Examiner on page 3, paragraph 6, of the Office Action, Hendricks fails to disclose, teach or suggest means for presenting an audible and/or visual warning if the time difference is greater than the predetermined value. However, Applicants respectfully submit that there are additional features that are absent in Hendricks. For example, Hendricks is silent as to, at least, means for transmitting transmission time information continuously after transmission of the content information has been completed, means for temporarily storing the received content information as stored content information and the

received transmission time information as stored transmission time information when the reproduction is interrupted; means for obtaining a time difference between the stored transmission time information and the received transmission time information when the reproduction interruption has been terminated; and means for allowing a reproduction of the stored content information if the time difference is less than or equal to the predetermined value.

Hendricks merely discloses a center for controlling the operations of a digital television program delivery system that includes a delivery system 200. (*See* col. 3, lines 5-6). Hendricks discloses that a set top terminal 220, which resides in the home of the subscriber, receives compressed programs and control signals that are either placed in local storage, executed immediately, or sent directly to the television screen. (*See* col. 10, lines 29-67).

However, unlike the invention of claim 17, Hendricks does not disclose, teach or suggest that the received content information and the transmission time information are stored when the reproduction is interrupted, that a time difference is obtained between the stored transmission time information and the received transmission time information when the reproduction interruption has been terminated; that the stored content information is reproduced if the time difference is less than or equal to the predetermined value, and that the charging of pay information is executed based on the value of the time difference. Furthermore, unlike claim 17, Hendricks does not disclose, teach or suggest that transmission time information are continuously transmitted after transmission of the content information has been completed. Hendricks is simply silent as to what happens to the received content information and the transmission time information in the event of an interruption of the reproduction of the received content information. Therefore, Applicants respectfully submit that these features cannot be rendered obvious in view of Hendricks.

Furthermore, Applicants respectfully note that the Examiner has failed to identify where in Hendricks the above identified features are disclosed. Col. 30, lines 55-65 of Hendricks, referred to in the Office Action, merely discloses that the system of Hendricks provides interactive home shopping programs and that, after ordering, the subscriber is authorized to access the program for a limited time. There is, however, no teaching or suggestion in that excerpt as to what happens in the event the reproduction of the content information and the transmission time information is interrupted. Therefore, claim 17 cannot be rendered obvious in view of Hendricks.

Applicants respectfully submit that the invention of claim 17 discloses how to manage a program that is charged and prohibited from being copied (or stored), if an interruption occurs at the user side when the program is being broadcasted on the TV. Hendricks does not disclose, teach or suggest these features.

Claims 19-20 are patentable over Hendricks at least by virtue of their dependency from claim 17 and for the additional features recited therein.

Claim 21 is patentable over Hendricks for at least similar reasons as provided above in claim 17 and for the additional features recited therein. Namely, claim 21 is patentable over Hendricks at least because this claim recites an information reproducing method used in a transmitting/receiving system including a transmitting side and a receiving side, comprising: (a) on the transmitting side (i) transmitting content information along with corresponding transmission time information, said content information being allowed to be stored for a predetermined value of time; and (ii) transmitting transmission time information continuously after transmission of the content information has been completed, and (b) on the receiving side, *inter alia*, (ii) temporarily storing the received content information as stored content information and the transmission time information as stored transmission time information when the reproduction is interrupted; (iii) obtaining a time difference between the stored transmission time information and the received transmission time information when the reproduction interruption has been terminated; and (iv) reproducing the stored content information if the time difference is less than or equal to the predetermined value, and executing charging of pay information based on the value of the time difference. Hendricks does not disclose, teach or suggest these features.

Similarly, claim 22 is patentable over Hendricks for at least similar reasons as provided above in claim 17 and for the additional features recited therein. Namely, claim 22 is patentable over Hendricks at least because this claim recites an information reproducing apparatus for a transmitting/receiving system having a transmitting side and a receiving side, comprising: (a) on the transmitting side, (i) a transmitting portion configured to transmit content information along with corresponding transmission time information in which the transmitting portion continues to transmit the transmission time information after the transmission of the content information has been completed, said content information being allowed to be stored for a predetermined value of time; and (b) on the receiving side, *inter alia*, (ii) a storing portion configured to temporarily store the content information as stored content information and the transmission time information as stored transmission time information when reproduction is interrupted; (iii) a time-difference-obtaining portion

configured to obtain a time difference between the stored transmission time information and current transmission time information received after the interruption is terminated; (iv) a conditional-reproduction portion configured to reproduce the stored content information if the time difference is less than or equal to the predetermined value; and (v) a charging portion configured to execute charging of pay information based on a value of the time difference. These features are not rendered obvious in view of Hendricks.

Accordingly, reconsideration and withdrawal of the rejection of claims 17 and 19-22 under 35 U.S.C. §103(a) based on Hendricks are respectfully requested.

In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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